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FAX FILING IN U.S. PATENT & TRADEMARK OFFICE

DATE: December 19, 2005

TIME: \_\_\_\_\_

TO:	USPTO	FAX NO.:	571-273-8300
FROM:	Daniel N. Calder	ADMIN. ASST.:	Juli Lawrence
APPLN. NO.:	10/712,126	ATTY. DOCKET NO.:	YAO-3750US4
TITLE OF APPLN.: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND METHOD OF PRODUCING OPTICAL DEVICE			
FILING DATE:	November 13, 2003	ART UNIT:	2828
FIRST INVENTOR:	Kazuhisa Yamamoto, et al.	CONF. NO.:	7681
TITLE OF DOCUMENT (and List of Attachments): Transmittal; Response to Restriction Requirement			

Total Number of Pages: 4 (including this form)

COMMENTS

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PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0851-0031

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/712,126
	Filing Date	November 13, 2005
	First Named Inventor	Kazuhisa YAMAMOTO, et al.
	Art Unit	2828
	Examiner Name	Dung T. Nguyen
	Attorney Docket No.	YAO-3750US4
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	RatnerPrestia		
Signature	<i>Daniel N. Calder</i>		
Printed Name	Daniel N. Calder		
Date	December 19, 2005	Registration No.	27,424

CERTIFICATE OF TRANSMISSION / MAILING			
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Signature	<i>Julie Lawrence</i>		Date
Typed or Printed Name	Julie Lawrence	Date	December 19, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/712,126  
Applicant: Kazuhisa Yamamoto, et al.  
Filed: November 13, 2003  
Title: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND METHOD  
OF PRODUCING OPTICAL DEVICE  
TC/A.U.: 2828  
Examiner: Dung T. Nguyen  
Docket No.: YAO-3750US4

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 17, 2005, please consider the remarks set forth below.

The Examiner has requested restriction to one of the listed groups under 35 U.S.C. §121.

Applicants elect Group I with traverse.

Applicant submits that readable claims are: 78-80, 82-84 and 87-89.

Applicants submit that claims 78-80 are generic.

Applicants respectfully submit that claims 80, 84 and 89 are sufficiently similar to claims 78, 79, 82, 83, 87 and 88 that it would not place an undue burden on the Examiner to examine all the claims.

If the Examiner has any questions or believes that personal contact would expedite prosecution of this application, the Examiner is invited to contact the undersigned at 610-993-4229.

Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424  
Attorney(s) for Applicant(s)

Dated: December 19, 2005

YAO-3750US4

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Juli A. Lawrence

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